



**U.S. Citizenship
and Immigration
Services**

B5

DATE: DEC 24 2012

Office: NEBRASKA SERVICE CENTER

FILE: [REDACTED]

IN RE:

Petitioner:

Beneficiary:

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)(A)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

Thank you,

Ron Rosenberg
Acting Chief, Administrative Appeals Office

DISCUSSION: The Director, Nebraska Service Center, denied the employment-based immigrant visa petition on January 31, 2008. The petitioner appealed the decision and, on September 4, 2009, the Administrative Appeals Office (AAO) dismissed the appeal. The matter is now before the AAO on a motion to reopen and a motion to reconsider. The motion to reopen and motion to reconsider will be dismissed.

The petitioner seeks classification as an "alien of exceptional ability," pursuant to section 203(b)(2)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2)(A).

Review of U.S. Citizenship and Immigration Services (USCIS) records indicates that, prior to the filing of the instant petition, the alien filed Form I-485 Application to Register Permanent Residence or Adjust Status, receipt number [REDACTED] based on his spouse's adjustment. USCIS approved the application on June 15, 2010. Because the alien has adjusted to lawful permanent resident status, further pursuit of the matter at hand is moot.

ORDER: The motion to reopen and the motion to reconsider are dismissed, based on the alien's adjustment to lawful permanent resident status.